## United States District Court

for the

## District of South Carolina

United States of America	)	Case No: 4:04-00559-001 (TLW)
	)	USM No: <u>11086-171</u>
-versus-	)	Pro se
	)	Defendant's Attorney
Kenneth Wayne Odom	)	
a/k/a Kenny	)	
	)	
Date of Previous Judgment: March 22, 2005	)	
(Use Date of Last Amended Judgment if Applicable	)	

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ■ the defendant □ the Director of the Bureau of Prisons □ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG § 1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is **DENIED** (Doc. # 95). This case does not qualify because the mandatory minimum overrides the guidelines. Accordingly, the guideline range is unaffected by Amendment 750.

## IT IS SO ORDERED.

(if different from above)

Order Date: May 2, 2012 s/ Terry L. Wooten

Judge's signature

Effective Date: Terry L. Wooten, United States District Judge